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Attorneys for Defendant
UNITED STATES SOCCER FEDERATION

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ALEX MORGAN, MEGAN RAPINOE,
BECKY SAUERBRUNN, CARLI
LLOYD, MORGAN BRIAN, JANE
CAMPBELL, DANIELLE COLAPRICO,
ABBY DAHLKEMPER, TIERNÁ
DAVIDSON, CRYSTAL DUNN, JULIE
ERTZ, ADRIANNA FRANCH, ASHLYN
HARRIS, TOBIN HEATH, LINDSEY
HORAN, ROSE LAVELLE, ALLIE
LONG, MERRITT MATHIAS, JESSICA
MCDONALD, SAMANTHA MEWIS,
ALYSSA NAEHER, ELLEY O'HARA,
CHRISTEN PRESS, MALLORY PUGH,
CASEY SHORT, EMILY SONNETT,
ANDI SULLIVAN AND MCCALL
ZERBONI.

Plaintiffs,

V.

UNITED STATES SOCCER FEDERATION, INC.

Defendant.

Case No. 2:19-cv-01717-RGK-AGR

**DEFENDANT UNITED STATES
SOCCER FEDERATION'S NOTICE
OF MOTION AND MOTION TO
TRANSFER VENUE PURSUANT TO
THE FIRST TO FILE RULE**

Date : July 15, 2019
Time : 9:00 a.m.
Courtroom : 850
Judge: Hon. R. Gary Klausner

Complaint Filed: March 8, 2019

1 TO THE PLAINTIFFS AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on July 15, 2019 at 9:00 a.m., or as soon thereafter
3 as the matter can be heard, in Courtroom 850 of the above-entitled Court, located at 255
4 East Temple Street, Los Angeles, CA 90012, Defendant UNITED STATES SOCCER
5 FEDERATION, INC. (“Defendant” or “U.S. Soccer”) will and hereby moves this Court
6 pursuant to the first-to-file rule for an order to transfer venue to the Northern District of
7 California where a previously-filed suit involving the same legal issues and overlapping
8 parties is already pending.

9 This Motion is brought on the grounds that this action should be transferred to the
10 Northern District of California pursuant to the first-to-file rule. *Kohn Law Grp., Inc. v.*
11 *Auto Parts Mfg. Miss., Inc.*, 787 F.3d 1237, 1240 (9th Cir. 2015). Specifically, this
12 action is duplicative of an earlier-filed action pending before Judge James Donato in the
13 United States District Court of the Northern District of California, *Solo v. U.S. Soccer*
14 *Federation*, Case No. 3:18-cv-05215-JD. The Solo action was initiated in August 2018
15 alleging a violation of the Equal Pay Act and sex discrimination under Title VII based on
16 alleged disparities in pay to members of the United States Senior Women’s National
17 Team (“USWNT”) as compared to members of the United States Senior Men’s National
18 Team (“USMNT”). More than six months later, in March 2019, Plaintiffs filed the
19 instant action, asserting virtually identical claims against U.S. Soccer.

20 As set forth in the accompanying Memorandum of Points and Authorities,
21 allowing the two cases to proceed simultaneously will result in a significant waste of the
22 Court’s resources and cause significant prejudice to U.S. Soccer, requiring it to defend
23 against nearly identical claims in two different forums. Further, allowing both cases to
24 proceed at the same time could also result in inconsistent rulings on these claims.
25 Additionally, the rule’s underlying goals of promoting judicial economy and avoiding
26 duplicative discovery, inconvenience, and the risk of inconsistent judgments are served
27 where, as here, the first-filed action is further along procedurally. Accordingly, based on
28 the chronology of the lawsuits, the similarity of the parties, and the similarity of the

1 issues, U.S. Soccer requests that the Court transfer the instant action to the Northern
2 District of California where it can be consolidated with the first-filed *Solo* action.

3 This Motion is made following the conference of counsel pursuant to Central
4 District Local Rule 7-3 that took place on May 16, 2019.

5 This Motion is based upon this Notice of Motion and Motion, the accompanying
6 Memorandum of Points and Authorities, and any other related documents filed in
7 connection with this Motion, the papers and records on file in this action, and such other
8 written and oral argument as may be presented to the Court.

9 DATED: May 23, 2019

SEYFARTH SHAW LLP

11 By: /s/ Ellen E. McLaughlin
12 Ellen E. McLaughlin
13 Cheryl A. Luce
14 Kristen M. Peters
15 Attorneys for Defendant
16 UNITED STATES SOCCER
17 FEDERATION